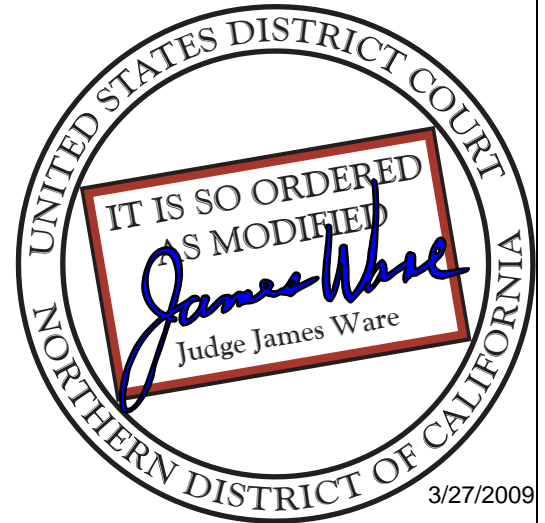


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7 Attorneys for Defendant
Ramon Scruggs, MD



8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 RAMON SCRUGGS, MD, et, al

15 Defendant.
16

Case No. CR-08-144 JW (PT)

**STIPULATION AND [PROPOSED]
ORDER RE-SCHEDULING STATUS
HEARING TO APRIL 13, 2009 AT 1:30
P.M. AS TO ALL DEFENDANTS**

17
18 IT IS HEREBY STIPULATED between the parties that, subject to the Court's approval, the
19 status hearing, currently scheduled for Monday, March 30, 2009 at 1:30 p.m. shall be vacated, and
20 the new hearing date shall be April 13, 2009 at 1:30 p.m.

21 The parties have agreed to the continuance based on the following representations of Dr.
22 Ramon Scruggs regarding the basis for good cause for the continuance:

23 1. Dr. Ramon Scruggs has a necessary medical procedure scheduled for March 30, 2009
24 and will be unable to attend such status hearing.

25 2. Dr. Scruggs has tentatively been diagnosed with achalasia, a loss of propulsive force
26 in the esophagus. Dr. Scruggs has experienced recent significant weight loss as a result of his
27 condition.

28 3. Dr. Scruggs is in the process of undergoing a series of tests to determine if the

tentative diagnosis is the correct one. The series of tests include a interesophageal pressure test that Dr. Scruggs must undergo between certain other tests and in advance of potential surgery on May 5, 2009. The UCLA Medical Center has scheduled Dr. Scruggs for this required procedure on Monday, March 30, 2009, which thus directly conflicts with the hearing scheduled for Monday, March 13, 2009.

IT IS SO STIPULATED.

Dated: March 25, 2009

BAKER & McKENZIE LLP

By: /s/
Scott H. Frewing
Attorneys for Ramon Scruggs, MD

Dated: March 25, 2009

By: /s/
Benjamin Williams
Attorney for Allan Danto

Dated: March 25, 2009

By: /s/
Lara S. Vinnard,
Attorney for Heidi MacPherson

Dated: March 25, 2009

JOSEPH RUSSONIELLO
United States Attorney

By: /s/
Jeffrey D. Nedrow
Assistant United States Attorney

Pursuant to General Order No. 45, Section X(B), Scott H. Frewing hereby attests that the

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///

1 signatory's concurrence in the filing of this document has been obtained.

3 Dated: March 25, 2009

BAKER & MCKENZIE LLP

5 By: /s/
6 Scott H. Frewing
7 Attorneys for Ramon Scruggs, MD

9 **ORDER**

10 IT IS HEREBY ORDERED that the status hearing, currently scheduled for Monday, March
11 30, 2009 at 1:30 p.m. shall be vacated, and the new hearing date shall be April 13, 2009 at 1:30 p.m.
12 as to ALL defendants.

13 **IT IS SO ORDERED.**

15 Dated: March 27, 2009

16 By: 
17 JAMES WARE
18 UNITED STATES DISTRICT JUDGE